

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: LEGISLATIVE, RULES & GOVERNMENTAL OPERATIONS

DATE: MARCH 22, 2022

COMMITTEE MEMBERS PRESENT:

SUPERVISORS STROUGH
DRISCOLL
CONOVER
FRASIER (VIA ZOOM)
THOMAS
MCDEVITT

OTHERS PRESENT:

MICHAEL COLVIN, DIRECTOR, INFORMATION TECHNOLOGY
PAMELA VOGEL, COUNTY CLERK
RYAN MOORE, COUNTY ADMINISTRATOR
AMANDA ALLEN, CLERK OF THE BOARD
ROBERT TERWILLIGER, FIRST ASSISTANT COUNTY ATTORNEY
SUPERVISORS BRAYMER (VIA ZOOM)
HOGAN (VIA ZOOM)
MAGOWAN
WILD
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS
LESLIE LOVELACE, SECRETARY TO THE CLERK OF THE BOARD

COMMITTEE MEMBER ABSENT:

SUPERVISOR SEEBER

Please note, the following contains a summarization of the March 22, 2022 meeting of the Legislative, Rules & Governmental Operations Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <https://warrencountyny.gov/mma>

Note: Pursuant to New York State Legislation (S.50001/A.40001): “Notwithstanding the provisions of article 7 of the public officers law to the contrary, any state agency, department, corporation, office, authority, board, or commission, as well as any local public body, or public corporation as defined in section 66 of the general construction law, or political subdivisions as defined in section 100 of the general municipal law, or a committee or subcommittee or other similar body of such entity, shall be authorized to meet and take such action authorized by law without permitting in public in-person access to meetings and authorize such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.” All Committee Members in attendance were physically present, aside from Supervisor Frasier who attended remotely.

Mr. Strough called the meeting of the Legislative, Rules & Governmental Operations Committee to order at 2:17 p.m.

Motion was made by Mr. McDevitt, seconded by Mr. Conover and carried by a unanimous vote of those present (Ms. Seeber absent) to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Information Technology and County Clerk/DMV agendas were distributed to those in attendance; those participating virtually accessed the agendas via the Warren County website. *Copies of the agendas are on file with the meeting minutes.*

The Committee began with a review of the Information Technology agenda, which included the following requests:
- To authorize a new contract with Alpha Software in the amount of \$32,700 for custom programming for the Department of Social Services for a term commencing upon execution and terminating upon completion.

Motion was made by Mr. Conover, seconded by Mr. Driscoll and carried by a unanimous vote of those present (Ms. Seeber absent) to approve the request as outlined above and the necessary resolution was authorized for the April

14th Board meeting. *A copy of the Resolution Request Form is on file with the minutes.*

- To appropriate \$32,700 from Budget Code A.1680 110, *Salaries*, to Budget Code A.1680 470, *Contracts*, to fund the new programming contract.

Motion was made by Mr. Conover, seconded by Mr. Thomas and carried by a unanimous vote of those present (Ms. Seeber absent) to approve the request as outlined above and refer same to the Finance Committee. *A copy of the Resolution Request Form is on file with the minutes.*

There being no further Information Technology business to discuss, the Committee commenced with a review of the County Clerk/DMV agenda which included a request to:

- A. Fill the vacant position of Motor Vehicle License Registration Clerk #10, *Grade 8, Base Annual Salary \$37,918*, due to resignation.

Motion was made by Mr. Thomas, seconded by Mr. Conover and carried by a unanimous vote of those present (Ms. Seeber absent) to approve the request as outlined above and forward same to the Personnel, Administration & Higher Education Committee for reporting purposes. *A copy of the Notice of Intent to Fill Vacant Position Form is on file with the minutes.*

Proceeding to the Discussion portion of the agenda, Mrs. Vogel reviewed the following items:

- A. Report of Receipts and Disbursements 2021: Warren Co. Clerk

The County Clerk presents to Committee the 2021 Annual Report of Receipts and Disbursements for the Office of the County Clerk. The attached includes:

- Review & Disbursement Detail: A composite spreadsheet of system-generated Deposit Reports, Receipt by Payment Type, Bank Statements and disbursement data to NYS Agencies, and Warren County; by month, total for year.
- Narrative Description - All Accounts: A Summary of accounts; Includes both 2020 and 2021 data.
- Warren County DMV Revenue and Transaction/Activity Reports: Monthly with YTD; County Retention.

- B. Mortgage Tax Data: As per Local Law 2 of 2020, as identified on Receipt & Disbursement Detail.

Jan. 2021:	\$103,727.80 Local	Jan. 2022	\$142,793.30 Local
	\$102,803.77 Additional		\$136,665.48 Additional
Feb. 2021:	\$108,026.44 Local	Feb. 2022:	\$110,197.82 Local
	\$102,585.26 Additional		\$106,208.46 Additional
Mar. 2021:	\$127,149.91 Local	Mar. 2022	mtd available at mtg.
	\$120,813.07 Additional		

Messrs. Conover, Driscoll, Magowan, McDevitt, Strough and Mrs. Frasier all extended their appreciation and praise to Mrs. Vogel and her staff.

There being no further County Clerk/DMV business to discuss, the Committee proceeded to the Legislative agenda with review of the Referrals/Pending Items as follows:

- 1) Referral from the Finance Committee regarding the abandonment and clean-up of Town of Johnsbury Tax Map Parcel No. 133.8-1-27 (*Mosher's Garage*), and to consider exploring the possibility of adopting a local law permitting the County to hold property owners of polluted properties who abandoned them accountable and be entitled to recoup any money spent on cleanup efforts. Update: It was determined the County Attorney would review and determine what options were available to the County and would provide an

update at the next Committee meeting.

Robert Terwilliger, *First Assistant County Attorney*, apprised the Committee that the County had the option of imposing a private right of action to sue the property owners for reimbursement of clean up costs, but most State and Federal laws preempted any local laws inconsistent with State and Federal Laws; however, he said he had found one Local Law that was upheld and not preempted in Sleepy Hollow, NY. He said the “Environmental Protection & Abandoned Industrial Property Recreation Law” was upheld by Federal Court and he wanted to further research the law as it was for the clean up of a General Motors property which was similar to the Mosher’s property; he indicated he would research the case and would provide an update at a future meeting. He stated in the future, the best course of action was for the County to act sooner and prevent a property from sitting too long.

- 2) County Administrator to draft a mission statement for Warren County to be reviewed at the next Committee meeting. Update: It was determined that Ryan Moore, *County Administrator*, would distribute the County mission statement to the full Board for review and the discussion would continue at the next meeting.

Mr. Moore advised the Committee he had drafted a mission statement which he had previously distributed to all members of the Board of Supervisors and had received some return comments. He proceeded to read aloud the changes made to the draft. It was the consensus of the Committee for Mr. Moore circulate the draft mission statement once again for feedback before it was brought back to Committee for adoption.

- 3) Referral from the Criminal Justice & Public Safety Committee to re-evaluate the voting process during Committee meetings and to address the discrepancies between voting in Committee and at the Board Meetings.

Amanda Allen, *Clerk of the Board*, advised at Committee the Board had historically voted in accordance with *Roberts Rules of Order* which stated all that was necessary to carry a motion was a majority vote of the Committee members present and voting once a quorum was established. She explained that Larry Elmen, *County Attorney*, had recently cited language from County Government Law (CGL) Section 41 which stated a majority vote of the total number of Committee members was necessary for a measure to pass, similar to the way in which majority votes were counted at Board meetings. She stated that upon advisement of CGL Section 41 by Mr. Elmen, the vote at Committee meetings had changed to what was required in accordance with the Law, and she advised not action from this Committee was necessary, unless the Committee was in favor of amending the Rules of the Board to spell out this requirement for future reference. Committee elected to take no action.

Mr. Conover spoke of how Mr. Moore had become the County’s FOIL (*Freedom of Information Law*) Officer and he suggested consideration be taken to create a separate position to assume the FOIL Officer duties which had caused a considerable burden to the County Administrator’s and County Attorney’s Offices. Mr. Strough agreed it would be more conducive to consider creating a position, the sole duty of which would be to address FOIL requests; he indicated he would work with the County Attorney and County Administrator on this and would bring the matter back for discussion at a future meeting.

There being no further business to come before the Committee, on motion made by Mr. Conover, seconded by Mr. Driscoll and carried by a unanimous vote of those present (Ms. Seeber absent), Mr. Strough adjourned the meeting at 3:05 p.m.

Respectfully submitted,
Leslie Lovelace, Secretary to the Clerk of the Board